

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

LONNIE BRITT,)
Plaintiff,) Case No.: 2:08-cv-00586-GMN-PAL
vs.)
)
RINKER/CEMEX MATERIALS,)
ELIZABETH ROSENFELDT, VINCE)
BUSCH, WOLNER KAPLON PHILLIPS)
YOUNGER & CUTLER, AND LES)
FULTZ,)
)
Defendants.)
)

Before the Court for consideration is the Order and Report of Findings and Recommendation (ECF No. 32) of the Honorable Peggy A. Leen, United States Magistrate Judge, entered January 20, 2011. No objections have been filed. The Court has conducted a *de novo* review of the record in this case in accordance with 28 U.S.C. § 636(b)(1) and Local Rule IB 1-4, and determines that Magistrate Judge Leen's Recommendation should be **ACCEPTED**.

IT IS THEREFORE ORDERED that Plaintiff's Second Amended Complaint be **DISMISSED** for failure to state a claim upon which relief can be granted.

DATED this 8th day of February, 2011.

Gloria M. Navarro
United States District Judge